



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of:

Confirmation No.: 1215

Toshimitsu TAMAGAWA

Art Unit: 2612

Application No.: 09/971,054

Examiner: Jerabek, Kelly L.

Filed: October 5, 2001

Attorney Dkt. No.: 103213-00041

For: IMAGE READING DEVICE

**RESPONSE TO RESTRICTION REQUIREMENT**

MAIL STOP AMENDMENT

Director of U.S. Patent and Trademark Office

P.O. Box 1450

Alexandria, VA 22313-1450

Date: April 7, 2005

Sir:

In response to the Office Action dated March 24, 2005, Applicant hereby elects to have further prosecution in this application be directed at this time to Species I, as shown in Figs. 4A-4B, without traverse. Claims 1-3 and 6-7 read on the elected species. Applicant respectfully submits that Claims 1 and 2 are generic to all species.

Accordingly, upon allowance of the claims directed to the elected species, Applicant reserves the right to request reconsideration of the claims directed to the non-elected species, which are written in dependent form or otherwise include all of the features of the allowed generic claim pursuant to 37 C.F.R. § 1.141.

Furthermore, Applicant reserves the right to file divisional applications directed to the non-elected claims.

Applicant therefore respectfully requests timely consideration on the merits.

In the event this paper is not considered to be timely filed, Applicant respectfully petitions for an appropriate extension of time. Any fees for such an extension, together with any additional fees that may be due with respect to this paper, may be charged to counsel's Deposit Account No. 01-2300, **referencing docket number 103213-00041**.

Respectfully submitted,



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